

April 2, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0231

David M. Hazlett and Dorothy W. Robinson

Midlothian Magisterial District
12101 Silbyrd Drive

- REQUESTS:
- I. A twenty-six (26) foot Variance to the sixty (60) foot front yard setback requirement for a dwelling.
 - II. A thirty (30) foot Variance to the fifty (50) foot rear yard setback requirement for a dwelling.
 - III. An 11,000 square foot Variance to the 40,000 square foot lot area requirement for a dwelling.

RECOMMENDATION

Recommend denial of this Variance for the following reasons:

- A. Staff finds there are no extraordinary circumstances or conditions applying to this property which do not apply generally to all other properties in the immediate area.
- B. The applicants have provided no information that there are such unusual circumstances about this property that adherence to the required setback would cause undue hardship.

GENERAL INFORMATION

Location:

This property is known as 12101 Silbyrd Drive. Tax ID 737-717-3242 (Sheet 2).

Existing Zoning:

R-40

Size:

.675 acre

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - R-40; Residential

South - R-40; Vacant

East - R-40; Vacant

West - R-40; Residential

Utilities:

Public water and private septic system

Transportation:

This request should have no effect on traffic patterns in the area.

General Plan:

(Old Gun/Robious Plan)

Residential

(One (1) dwelling unit per acre)

DISCUSSION

The applicants are proposing to construct a single family dwelling. The dwelling will be located thirty-four (34) feet from the front property line. The Zoning Ordinance requires a sixty (60) foot front yard setback requirement; therefore, the applicants are requesting a twenty-six (26) foot Variance (see attached plat). The applicants have indicated the dwelling will be located twenty (20) feet from the rear property line. The Zoning Ordinance requires a fifty (50) foot rear yard setback requirement; therefore, the applicants are requesting a thirty (30) foot Variance (see attached plat). The applicants had indicated the lot is approximately 29,000 square feet. The Zoning Ordinance requires the lot size to be 40,000 square feet in a Residential (R-40) District, therefore, the applicants are requesting an 11,000 square foot Variance (see attached plat).

The applicants provide the following justification in support of these requests:

This request is to allow a reasonable configuration of a home on this lot. The narrow size of the existing lot requires these Variances in order to allow its use as a homesite.

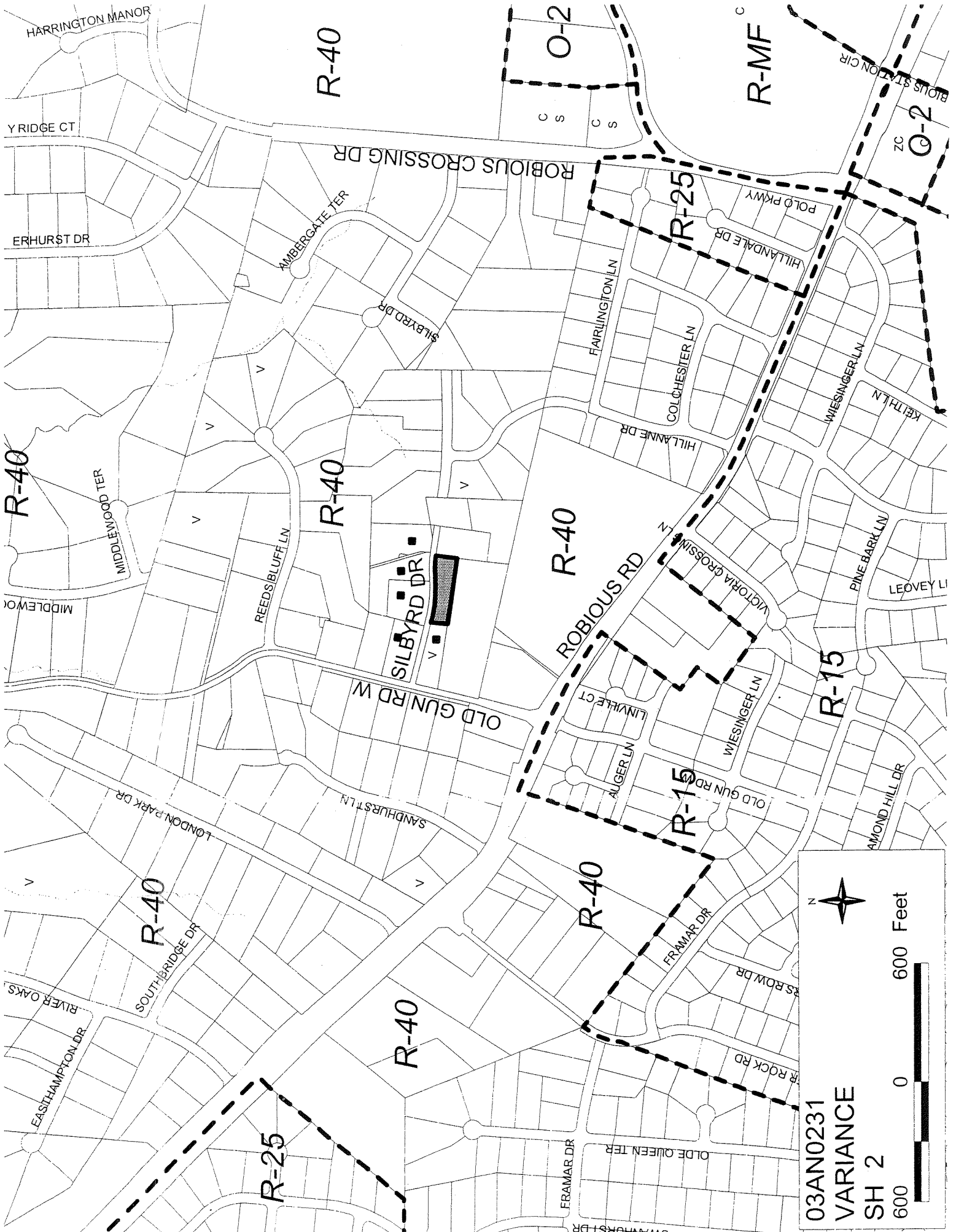
The site plan submitted by the applicants indicate that the lot is approximately ninety-five (95) feet wide. Staff believes that the lot is too narrow to be developed. The proposed dwelling would be located thirty-six (36) feet from the front property line and twenty (20) feet from the rear property line. These encroachments may create an adverse impact on the adjacent properties.

Staff believes that this request is based on financial consideration rather than physical hardship or other conditions which are not applicable to other properties in the area. Therefore, staff cannot support this request.

However, if the Board feels that this request has merit, staff recommends that it be subject to the following condition:

CONDITION

These Variances shall be for the proposed dwelling as depicted on the plat attached to staff's report.



03AN0231
VARIANCE
SH 2

600 0 600 Feet

